

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:07CV361-3-MU
3:03CR218-MU

CHRISTOPHER REGINALD HINES,)
Petitioner,)
v.)
UNITED STATES OF AMERICA,)
Respondent.)

)

OR D E R

THIS MATTER is before the Court on Petitioner's "Motion for Bond Based on New Evidence" (Document No. 25.)

On November 13, 2007 Petitioner filed a Motion for Bond Pending 28 U.S.C. § 2255 Review (Document No. 9.) This Court denied Petitioner's motion by Order dated November 15, 2007 (Document No. 10). On November 30, 2007, Petitioner filed a motion for reconsideration of this Court's Order denying bond pending 28 U.S.C. § 2255 Review arguing that he stated a substantial federal constitutional claim supported by law and facts in his previous motion. Petitioner added that he has developed a serious neck problem requiring surgery on his neck which he would like to have done at Ortho Carolina and his internet company is in serious decline and in need of his attention. Petitioner's motion for reconsideration was denied by Order dated December 10, 2007 (Doc. No. 14.) By way of the instant motion, Petitioner again asks to be released on bond based on new evidence. Petitioner's new evidence is the Government's Answer which, he alleges, supports his Motion for Partial Summary Judgment. Additionally, Petitioner contends that the Bureau of Prisons has sent him to a specialist regarding his neck issues who has determined that Petitioner's injuries

are more extensive than originally thought and has advised that any “sudden impact of the Petitioner’s nec [sic] could be potentially fatal as C-3 also helps regulate his breathing.” (Motion at 1.)

Mr. Hines’ motion for bond still does not satisfy the high standard governing motions for release pending appeal and for the reasons stated in this Court’s previous Orders, Petitioner’s motion will be denied. (Doc. Nos. 10 and 14).

NOW, THEREFORE, IT IS HEREBY ORDERED that the Petitioner’s Motion for Bond Based on New Evidence is **DENIED** (Document No. 25.)

SO ORDERED.

Signed: January 16, 2008



Graham C. Mullen
United States District Judge

